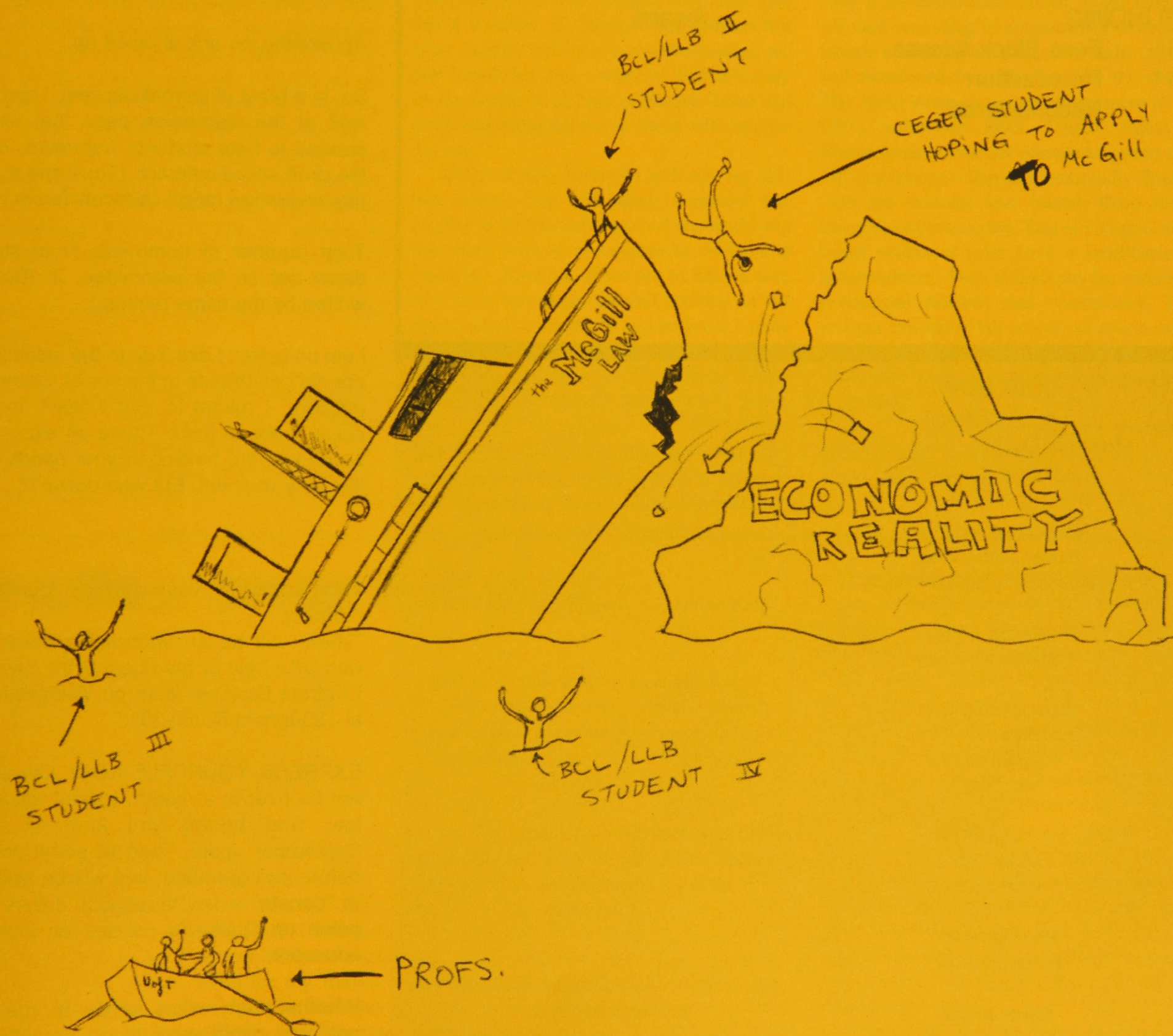


Quid Novi

McGill University Faculty of Law
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Envoyez vos commentaires ou articles avant jeudi 5 p.m. à:

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Editor's Note...

Hello everyone,

There was an announcement in the *Quid* last week, advertising an information session on faculty funding. The ad hoc committee, in an effort to keep us informed, had taken time out of their busy schedule to hold a meeting (and God knows they already have plenty of those to attend to already).

Apparently, no one showed up.

So, in a burst of journalistic zeal, I had a look at the discussion page that was created to hear students' comments on the draft social contract. (You'll find it at <http://www.law.mcgill.ca/facultyforum>.)

Total number of comments from students not on the committee: 2. (Both written by the same person.)

I am no better: I didn't go to the meeting, nor did I contribute to the social contract initiative. I meant to, but I didn't: mea culpa. I like to think I have an excuse, which you are holding in your hands at this very moment. But who doesn't?

This landed in your mailbox Monday morning:

"There will be an information session with Q&A held by members of the Social Contract Drafting Team on Wednesday at 1230pm in Room 201."

EXPRESS YOURSELF NOW. Classes will be over in a month; exams will follow, and before you know it it's September again. Then at some point before you graduate, you will be asked to "donate" a few thousands dollars to patch up Quebec's policies on higher education.

Whether that makes sense to you or not, you might want to do something about it.

Fabien

Does law matter?

by Mark Dawson (Exchange Student)

Yesterday, I got an e-mail from a friend. It read: "everyone here is obsessed with the idea of the Americans getting another resolution, as if it really matters". Being a lawyer, I of course replied immediately: of course it matters! That 2nd resolution makes all the difference - it is the bridge between an illegal war and a legal one. I went on for pages about all kinds of lawyerly stuff: the rule of law, international law, and the significance of the UN - I really let that pent up rage out. I turned off the computer with the feeling that I had done my lawyerly duty; I had put the matter straight.

Later on I got to thinking: maybe I had done my lawyerly duty. However, was that enough? Was there something I was missing? Something that wasn't just of interest to lawyers but (god forbid) to normal people too? The truth was that my friend was right - that 2nd resolution really doesn't matter. And here's why:

You can't justify war by making it 'legal'. Let us suppose that the US gets that 2nd resolution. Let us even suppose that it provides a clear and unambiguous mandate for war. What now? Do all those protesters go home, hang-up their banners and congratulate each

other on their victory? The truth is that the people of Iraq really don't care if the bombs that will be raining down on their heads are sanctioned by UN. Contrary to popular opinion, UN bombs don't have fluffy toys inside them, they have shrapnel and mortar and explosives just like the American ones. The point is, that (outside law faculties), no-one really cares if a war is legal, they only care that it is moral. If I believe that Saddam is a crazy lunatic hell-bent on nerve-gassing us, then I want him out - what the UN has to say on the matter is of little relevance. Much the same reasoning applies to those who oppose the war.

Many of you, however, will not buy this first reason. You will rightly complain that conflict is an inevitable part of our world and that there must be procedures by which it is regulated. After all, if we are to have a war, let's have one under the full scrutiny of the international community and its laws. I agree whole heartedly. I too believe that sometimes the unthinkable must be considered. I also believe that this must be done in a way which consults the widest forum of global opinion. The trouble is that the UN process doesn't even begin to do this. The body that will decide the fate of this conflict will not be the

General Assembly. Unrepresentative as that body is, at the very least it contains the voices of all of the world's governments. No, this dispute will go to the Security Council. It will be determined by nine nations picked randomly out of a hat and five nations that get a permanent place on account of their having big nuclear weapons programmes. In fact, if the US is to be believed, Iraq ought to have a good claim for a permanent seat in a few years. The flaws with the UN process, however, do not stop at selection. They go to the very procedures by which law is made there. This is no democratic forum. Votes here are not cast according to constituency interest or weight of conscious; they are bought, cajoled and threatened from the weak by the strong. The flaws even go to the enforcement of the UN's enfeebled laws. Traffic lights in Montreal have stronger normative power than UN resolutions - they are continually flouted, with the nations who breach them rarely being called to account. This is no legal order. Legal orders at least have a semblance of independence. They at least pay lip-service to procedural fairness and consistency. This process is nothing but power; an action under it carries no more a badge of international legitimacy than an action which ignores it altogether.

So I'm going to send another e-mail to that friend of mine. He was right - sometimes law really doesn't matter. ■

Pacifism - Reality or Fiction?

By Nevena Lelic, Law I

I have been thinking about submitting this article to the Quid for a while, and Derek McKee has now provided me with a perfect introduction to it. The passage that caught my attention was this: "I do not think that the Iraqi people should be made to pay for Saddam's sins with their bodies ... I think even more Western politicians would agree with me if those people were white".

This impending war on Iraq has made many people very afraid, and I am not ashamed to say that I am one of them. I am afraid for my family, afraid for my friends, afraid for all the innocent people who may suffer as a result of the will of a few. But it is always important in times of great turbulence in the world to make sure that that fear does not cloud our judgment. It is important to retain the capacity to criticize what we are fed by the media and to ask questions. So let us

begin.

Why is this the war? Why are so many people protesting against the Americans and the British entering Iraq, bombing it because it did not comply with their wishes? Why are so many people suddenly feeling sorry for the people of Iraq? If we really want peace and not war, if we really want people not to suffer, then why don't we come out on the streets in such numbers and ask for peace in Israel? Why don't we ask for peace in Chechnya, why don't we ask for peace in all the regions of the world that are now in conflict?

My main question, however, one that is important to me, is why did people not cry for peace in such numbers when NATO bombed Yugoslavia? Why is the Iraq situation so different? I have tried to answer that question, and I have not been able to come up with a satisfactory answer. Maybe it's because I don't

yet know very much about international relations, or about international law, or about war strategy. Maybe it's because the world is simply unfair. But I will tell you what conclusions I came to, even though I may not be totally right.

Why is the world so concerned about war in Iraq? Why is the situation in Iraq so much different from the one in Yugoslavia? Are the people poorer? Do they deserve our sympathy more? Do they deserve our help more? It has been said that the people of Iraq are especially to be pitied because they have been suffering under the sanctions that were imposed on them for over a decade. But sanctions were imposed on the Yugoslav people for almost as long. Do a couple of years make that big of a difference?

Why is the country being threatened by the West? In Yugoslavia's case, it was because Milosevic and his military were executing crimes of war and performing what was called "ethnic cleansing". In Iraq's case, it is because Hussein refuses to satisfactorily ►

comply with UN resolutions concerning weapons of mass destruction. Note that Yugoslavia is certainly not the first country in the world to have had a leader order his military to evacuate a whole population. And Iraq is certainly not the only country in the world today producing weapons of mass destruction when it shouldn't be.

Is there a valid reason to go to war anyway? Why was it justified for NATO to bomb Yugoslavia, where there was absolutely no threat to world security, when attacking a country that is producing weapons of mass destruction - a real potential threat to international security - is now being questioned? Is it more justified to interfere in a civil war than it is to prevent the production of potentially deadly missiles? Why are we suddenly bringing international law into question? Why are we accusing the war on Iraq of being illegal, and why was international law never brought to the attention of the public in discussions surrounding Yugoslavia? Surely if preemptive strikes are not allowed, then bombing a country without even declaring war should not be either! I realize that the bombing was part of the deal - that the Serbs were aware that the consequence of their not complying with NATO's will was bombing - but is that a satisfactory answer?

France and Germany are now adamantly opposed to the use of force. Why weren't they opposed to the use of force in Yugoslavia? Are they really pacifists or not? And what about Canada? Canada is now saying that it will not support any military intervention in Iraq without the approval of the United Nations Security Council. But did anyone even bother to ask the UN what it thought when Yugoslavia was in question? What is so different about the war in Iraq?

Is the difference that an attack on Iraq would upset the Arab world, and that people are very afraid of an Arab uprising after what happened on September 11th? (Please know that this is not meant to be insulting to people of Middle-Eastern origin in general - I do not mean to compare them to terrorists at all - I'm merely saying what the average North American person would be thinking under these circumstances) But if this is the reason, how fair is that? Does that mean that if you are a small country without allies and without means to protect yourself from the West, then you are forced to comply with the Western will under threat of bombing without the West even declaring war? Is that fair?

Why do we feel so sorry for the poor Iraqi children? Why didn't we feel sorry for the poor Serbian children? Is it possible that that

was because the media portrayed the Serbs as a people to be despised, as crazy lunatics who would kill their neighbors, burn their land, rape their women and beat their kids? And how fair is THAT? How fair is it that we don't feel sorry for the people who used to be our allies, who fought alongside Britain and the United States in both world wars, who stood up for Europe against the Turkish Empire and against Nazi Germany?

Anyway, my point is, if we really want to stand up for peace, and if we're really standing up for peace because we're sick of people killing each other left right and center, because we're sick of people who make it so that religion is a dividing force and not a uniting one, because we're sick of fights, because we believe in the maxim "do unto others as you would have them do unto you", because we believe that everyone has the right to life, liberty, and dignity, then we should stand up for peace in all circumstances. We should not be picky as to what war we oppose and what war we don't oppose. We should not be misled by a conflict not being called a war. We should not be misled by the media, and its portrayal of the people involved. Because in the end, it is always the innocent who suffer, be they Iraqi, Serbian, Chechen or Russian. Be they red, yellow, black or white. ■

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The McGill Law Journal



on our fiftieth anniversary,
cordially invites you to our

Annual Lecture Series

featuring



Senator Gérald A. Beaudoin

Senator, Lawyer, Law Professor, Author

*"La contrôle judiciaire de la
constitutionnalité des lois"*

Time : Friday, **March 21, 2003** at **11 a.m.**

Place : Moot Court, New Chancellor Day Hall
3664 Peel St.

A lunch reception and a jazz ensemble will follow the lecture.

A Short Note on American Military Policy

by Jason Crelinsten (Law II)

"Many Arab states, like the Mubarak regime in Egypt and the Saudi Royal family are saying 'you make us very nervous with this plan.' To this I say, 'you should be.'"

– James Woolsey, Former Director, CIA. Nightline, March 4, 2003.

Be forewarned: Iraq is merely the first logical step in the development of an American foreign policy that could conceivably lead to at least three more wars within two years.

In the 2001 Quadrennial Defence Review (QDR), largely completed before September 11, 2001, Donald Rumsfeld's Department of Defence openly called for a shift in American military thinking. From the "threat-based" approach to military planning, which sought to anticipate potential theatres of conflict (ie. A rapidly modernizing Chinese military, Iraq, and Korea) and direct resources accordingly, Rumsfeld's QDR advocated a "capabilities-based" approach.

The "capabilities-based" approach has the following hallmarks. First, the force planning of the U.S. military shall be arranged to enable the Americans to win one all-out war in absolute terms (culminating in potential "regime change" and military occupation), while *simultaneously* engaging in a holding action in another, completely different theatre of war, with some offensive strikes initiated. This is current, official American defence policy. It is particularly alarming when this approach is combined with a U.S. military budgeting plan that, under the current American regime, aims to fund the military (without accounting for additional war costs, should those arise) at \$100 billion more than the Clinton Administration's long-term projections by 2007. The interplay between the goals outlined in the QDR and the relatively new "pre-emptive strike" doctrine is disturbing. To shift the U.S. military's planning away from addressing specific threats is to implicitly threaten every state in the world as a potential target.

The United States aims to do four things with the new approach. First, assure allies and friends of the American "steadiness of purpose" and capacity to fulfill its "security commitments." Second, dissuade potential enemies from undertaking courses of action that

could threaten U.S. or allied interests. Third, deter "aggression and coercion" by forward deployment of the capacity to swiftly "defeat attacks" or "impose severe penalties on a country's military or supporting infrastructure (read electricity, water, industrial capacity). Fourth, decisively defeat any adversary should deterrence fail.

As of March 5th, the United States was already at the third level of this hierarchy with Iraq, and was openly advocating progressing to stage four. On the same day, the U.S. announced they would move 24 heavy bombers to Guam in effort to "deter North Korea," moving that situation to stage three of the QDR's approach, and effectively escalating the conflict.

There is virtually no mention of neutral states in the QDR. It bears a distinct "with-us-or-against-us" tone. Also, three of the four objectives in the QDR can be or must be achieved through the *actual* use of military force, a course of action the Bush Administration has proved itself more than willing to consider. What is the fundamental point? Wait and see what happens if the Americans are victorious in a conflict with Iraq. With the new "capabilities-based" approach, they have given themselves a policy that permits the projection of armed force anywhere in the world, at any time.

After Iraq, then North Korea. A military buildup is already in progress in both places, consistent with the 2001 QDR. After North Korea, then Iran (if they have the nuclear program they are rumored to be developing). After Iran, then Columbia, where the United States has quietly placed itself in a military and diplomatic position disturbingly similar to the one they occupied in South Vietnam in the early 60s. The South Philippines and Indonesia also provide possibilities for the American military to become involved in a "war on terror" while fulfilling their stated policy goals *and* justifying an almost absurd increase in defence spending over George Bush's first (and hopefully only) term in office. The recent agreement to deploy network journalists and real-time cameras with

forward combat ground units in Iraq will complete this sales job to the American public.

This new American policy has the potential to destabilize entire regions as multiple countries develop counterstrike capabilities to fend off potential "pre-emptive" U.S. attacks, while also dragging the United States into a number of armed conflicts when the U.S. responds to this increase in armament with a regional military presence. Furthermore, as countries increasingly prove unable to compete with American military manpower and technology, they *will* seek to level the playing field with chemical, biological and nuclear weapons, coupled with terrorist attacks against civilian targets. Why? Because regimes will act in their own self-interest, and for those states highest on the American threat list, that self-interest will manifest itself in attempts at self-preservation. A perceived American threat will receive a response in kind. For evidence, see the Anglo-German naval arms race at the end of the 19th century, the Cold War, and numerous other examples as far back as the Athens-

With the new "capabilities-based" approach, the Americans have given themselves a policy that permits the projection of armed force anywhere in the world, at any time.

Sparta arms contest, and the Athens-Persia conflict of the Classical Age.

Why cheer for Iraq? Because the only thing that seems to dissuade American politicians is the Vietnam Syndrome they continue to live with. Bombs away, but the second American ground soldiers die in large (ie. double-digit) numbers, the U.S. is out of town faster than the Pied Piper on speed. Witness Somalia. Globally, there will probably be significantly less loss of life if the Americans lose (or fight to a stalemate) in the Middle East. A decisive victory in Iraq will merely be the first step in a long, chimeric march to global domination via repeated American pre-emptive strikes. The risk is huge, the payoff small, and this new direction points to the very end the Americans are supposedly seeking to prevent with their "just and noble cause." ■

Faculty of Law Forum: The War on Iraq (?)

A discussion on the implications of a war on Iraq with:

Dean Peter Leuprecht
Professor Irwin Cotler
Professor Armand de Mestral
Professor El Obaid Ahmed El Obaid
Professor René Provost

**Tuesday, 11 March 2003
5:30 - 7:00 pm**

Moot Court

All students, faculty, and staff are welcome to attend.

The March of Peace

by Sébastien Jodoin, Law II

But the real and lasting victories are those of peace, not of war.

- Ralph Waldo Emerson, *Worship*

Manifestation Against the War in Iraq, February 15th

150,000 people of all ages and of all races demonstrated peacefully against a war in Iraq in the streets of Downtown Montreal on a cold Saturday morning.

It was a very cold day, but most didn't care; after all, what is a case of frostbite or a chill compared to misguided (in two ways) bombs killing innocent citizens?

It was a very cold day, but most didn't notice as they were basking in the warmth of the hearts of those individuals who believe that there is an alternative to war.

"Non à la guerre, Oui à la paix !" In our ever-more alienating and individualised society, in a Québec often divided by language, what a beautiful sight it was to see people united by a common purpose, the urgency of peace, and speaking in one common and defiant voice.

"Non à la guerre, Oui à la Paix!" In a West where democracy has become more of an illu-

sion than a reality, what a heart-warming sight it was to see people take the streets to express their opposition to a war that will benefit the few at the expense of the deaths of many.

For blocks, you could hear us singing that classic pacific chant: "All we are asking is give peace a chance". For blocks, you could hear us demanding that the inspections continue, that they be given a chance. For blocks, you could hear us requesting that the United Nation's Security Council be consulted, that international law be given a chance.

150,000 people cared. 150,000 people wanted to be heard. 150,000 people refuted fatalism. 150,000 people refused to have blood on their hands. But where were the others? 1,850,000 people perhaps didn't care or care enough to come out on a Saturday morning or care enough to come out in the cold. 1,850,000 people perhaps didn't have anything to say or are simply sheep. 1,850,000 people perhaps didn't think they could make a difference. 1,850,000 people perhaps like the smell of blood. One thing is certain, 1,850,000 people were not too busy to come.

There were many flags, some were questionable, we are against war, but we do not

support Saddam Hussein's regime or the atrocities committed by it, what were those Iraqi flags doing there?

There were many flags, some were questionable, we are against American Imperialism, but we do not support the USSR or the atrocities committed by it, what were those USSR flags doing there?

There were many flags, perhaps all were questionable, is nationalism not part of the problem?

There were many flags, although there should only have been one, the white flag, the flag of peace...

A Special General Assembly of SSMU Decides to Strike to Protest Against the War in Iraq, February 20th

For the first time in nine years, McGill Students decided to strike to protest against the US-led war in Iraq as 200 McGill undergraduates voted with minimal opposition to mandate SSMU to support the international day of action.

There was very little debate at this Special General Assembly. Everyone that was there had already debated in their hearts and minds why they were for or against the war in Iraq. It seemed like neither side was going to change their positions.

At first, the students who had called the Special General Assembly presented the ►

THE SKIT NITE SILENT AUCTION

The fundraising effort for our charities continues this year with another fabulous silent auction! Listed below are the *incredible* prizes up for sale this year...(check out ITEM#10!!!). So bring your friends, parents, siblings, co-workers...anyone who wants to enjoy a night of talent and the opportunity to walk away with these amazing items!!

A few words on how a silent auction works:

There will be a table set up at the back of The Medley where the bid sheets will be out for your perusal.

All initial bids must be of equal value to or higher than the MINIMUM BID on the sheet (ex: \$100).

When you bid, you will have to write the value of your bid and leave your name and phone number (so we can find you!).

If you want to outbid the person who bid before you, you must raise it by the MINIMUM INCREMENT (ex: So, if the last bid was \$100 and the minimum increment is \$20, you must bid at least \$120, then \$140, then \$160 etc. until someone comes out on top).

Finally, if you are the last person to have placed a bid before the auction closes (one hour before the end of the show), you WIN!

You DO NOT HAVE TO PAY IMMEDIATELY! You will have until the 1st of April to settle with the Skit Nite Committee, and arrange for you to receive your prize!

ITEM #1

New York Bar Review Course certificate (2)

Donated by: New York Bar Review of New York

Value: \$1250 USD

Minimum bid: \$400 USD

Minimum increment: \$25

ITEM #2

Certificate for the "Collection de droit 2003-2004", the 11 volumes of required texts for the courses at l'Ecole du Barreau du Quebec

Donated by: L'Ecole du Barreau du Quebec

Value: \$400

Minimum bid: \$100

Minimum increment: \$20

ITEM #3

LaCoupe Salon Gift certificates for a cut and style (2)

Donated by: LaCoupe Salon

Value: Approximately \$70 each

Minimum bid: \$30

Minimum increment: \$10

ITEM #4

Two passes for: "Voyage into Myth: The French Avant-Garde from Gauguin to Matisse " at the Musee des Beaux Arts (until April 27)

Donated by: Musee des Beaux-Arts de Montreal

Value: \$15 each

Minimum bid: \$5

Minimum increment: \$2

ITEM #5

Patrick Meagher artwork

Donated by: The artiste

Pieces to be unveiled the night of the auction...

ITEM #6

Tavern on the Square - \$75 gift certificate for a dinner for two

Donated by: Taverne on the Square - Donald Lovell

Value: \$75

Minimum bid: \$35

Minimum increment: \$10

ITEM #7

Habs tickets (2)

Donated by:

Value: Somewhere in the reds, center ice, anyone?

Minimum bid and increment: TBD

ITEM #8

Harry Rosen Gift Certificates

Donated by: Larry Rosen

Value: \$200

Minimum bid: \$100

Minimum increment: \$20

ITEM #9

DeLonghi Espresso/Cappuccino Maker

Donated by: McGill Computer Store - Jackie Dube

Value: \$80

Minimum bid: \$40

Minimum increment: \$10

ITEM #10

CHOM 97.7 spot - 1 1/2 hour sports-casting on air with Terry and Ted!

Donated by: CHOM 97.7 - Terry DiMonte

Value: Unlimited

Minimum bid: \$200

Minimum increment: \$25

(The March of Peace cont'd)

two main reasons why they were against the war. First, they were against the diversion of funds from education to war, indeed, Canada has put aside 3 billion dollars in case of war all the while Québec universities are in need of an immediate infusion of 375 million dollars to stay competitive with other Canadian universities. Second, they were against the killing of innocent Iraqi civilians, highlighting the fact that they are against Saddam Hussein's regime, but do not see war as the only solution to the danger it poses for the Iraqi people or for international peace.

Then, students against the motion changed the debate, from one having to do with the actual legitimacy of the war to having to do with representative character of the Special General Assembly as well as the appropriateness of such a stance within the mandate of the SSMU. Many different motions were proposed to delay the passing of the motion and to change the focus of the debate.

Although the motives of these students were not clear, they seemed to be using arguments about democracy as well as parliamentary means to prevent the passing of the motion. For example, they left the assembly and encouraged others to leave as well so that the assembly would not have the quorum required to pass the motion.

Regardless of their motives, their arguments were ill-founded. The General Assembly is not the most democratic instrument of governance, but it seems to be the only we have. It is not the fault of pacifists if those who are pro-war did not show up in great numbers at the assembly.

As well, this was appropriate within the SSMU's mandate, as it is comprised of students who are concerned that funds will be used to support this war rather than to support education. Furthermore, in an academic community, where intellect and free speech is encouraged, student organizations should not take a neutral stance. It must also be remembered that this initiative is one that is being supported by schools all over North America. Finally, the "it-won't-make-a-difference" argument is also to be rejected because of its unbearable practicality and its call to idleness, but also because the objective is not necessarily to change George Bush's mind (sic), but to change Jean Chrétien's mind.

They tried to stop it, but in vain. When the question was called and the vote was taken, the motion passed with about 300 people for and 6 against. And thus, the March of Peace continued.

McGill Students Strike and Picket the Roddick and the Milton Gates, March 5th

McGill students participated in the international day of action against the war in Iraq along with other university, college and high school students in the United States, Canada and around the world.

It was another cold day, this time, there was wind, this time, there was snow. Our signs would sometimes fly away or break apart. We'd take turns going inside to warm up. One girl was nice enough to distribute socks to those of us who hadn't brought gloves. There was singing again, songs that had been written for the current context and that had been distributed over the internet. There was music too, most notably Edwin Starr's classic "War, what is it good for?". We even had hot chocolate at one point. But what we were missing, what we needed the most though, were people.

The strike was voted a day before the start of spring break and occurred two days after the end of spring break, of course, word did not get out much. But there were posters and there was some word of mouth... Still, it was disappointing to see that the SSMU was operating as usual, that students just didn't care and wanted to go to class, that professors took no notice, that the administration couldn't be bothered to do anything, except send some security guards to ensure that things did not get out of hand.

Is peace the concern of only about 80 McGill students? Aren't religious studies professors, philosophy professors or international law professors concerned by these events? Is McGill University, as an institution of higher learning, not interested in peace? Is the McGill Faculty of Law not distressed at the words and actions of the US Government which breed disrespect for international law? Should we not all be concerned as human beings about the death of other human beings even if they are thousands of miles away?

Eventually about a thousand students from Concordia University, McGill University and Cégep du Vieux-Montréal demonstrated peacefully in front of the Canadian Armed Forces Recruitment Center as well as the American consulate offices. Needless to say, McGill students did not form a big part of this group of people, this already pretty small group of people.

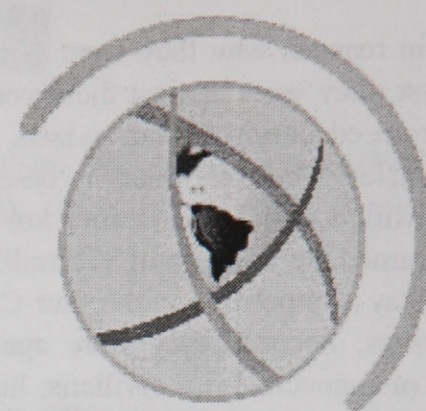
Like all idealists, it is hard for me to accept the indifference of others. Last Wednesday was no Vietnam protest that's for sure. Of course, Vietnam was different, the war had been going on for years and the death toll was accumulating. Nonetheless, I don't think we should voice opposition to the atrocities of war only after they have been committed. I'm afraid though that the reason people were not present has more to do with the modern individual's selfish disposition. In all fairness, if someone had a mid-term, then I think they could have gone to their mid-term and join us afterwards (which is what some people actually did). Other than that, I really don't see why someone would or should choose class over sending a message about peace. Even if they did choose class, they could have come intermittently.

In our ever-more alienating and individualised society, in a Québec often divided by language, what a beautiful sight it was to see people united by a common purpose, the urgency of peace, and speaking in one common and defiant voice.

Attending class is an important part of our education, but it is not the only part. Action is another important part. What good is it to talk about justice if we are not ready to go to streets to ensure that justice be done? Those of us who have taken public international law or even foundations of Canadian law, should have supported the strike so as to apply in practice what they learned in theory.

Whatever we study in University, those subjects cannot alone form the whole of our education. Our character, our moral fibre is also supposed to be part of our learning experience at McGill and in life in general.

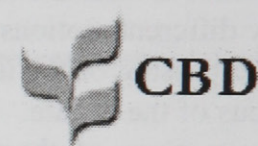
Like all idealists, perhaps of the naïve variety, I am still hopeful that a peaceful resolution to this conflict is possible and I'm still hopeful that the voice of the people will be heard. I'm perhaps a little less hopeful that McGill or more specifically Faculty of Law students and professors will be part of that voice, and that is disheartening for my vision of the law as one of an ideal of justice is defeated by the people who teach it and study it. ■



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Partager les richesses de la nature : le droit et les bénéfices de la diversité biologique Sharing Nature's Wealth: Law and the Benefits of Biodiversity

Atelier Académique / An Academic Workshop



Chairs / Présidents:

Valérie Normand, Convention on Biological Diversity/Convention sur la Diversité Biologique
Marie-Claire Cordonier Segger, Centre for International Sustainable Development Law

Discussants / Participants

Desiree McGraw, McGill University/Université McGill
Jorge Cabrera, Universidad de Costa Rica
Philippe Le Prestre, Université du Québec à Montréal
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Vendredi/Friday 14 mars/March 2003

15h00 - 17h00 à Leacock 232,

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Please register with Helena Olivas at holivas@cisdl.org.

Pour vous inscrire, veuillez contacter Helena Olivas, holivas@cisdl.org.

Fees Block Access

By Marta Juzwiak (Law III)

No matter how you slice it, dice it or splice it, I don't think you can justify a fee increase if you believe that entry into law school should be based on merit, not on financial backing.

If I had been required to pay twice as much as I already did to attend our esteemed faculty, I wouldn't have even applied. I didn't apply to the University of Toronto, even though they invited me to do so three times, and even though my understanding at the time (right or wrong) was that the University of Toronto was a better school than McGill. I thought to myself: "no matter how good it is, if I can't afford it, I'm not doing it." Finances were my top priority; the only top schools I could afford in Canada were McGill and UVic; they were also the only schools to which I applied.

Someone asked in a previous Quid article:

quick, ask around: do any of your colleagues' parents make less than \$50K a year? Answer: mine do. They did what they could for me, but they couldn't do much; I made it through by working and taking out student loans. FYI: student loans CANNOT cover an out-of-province student's expenses. With tuition at \$5.5K, a realistic costs of books, supplies, photocopies, and printing at \$1.5K, and housing costs at an absolute minimum of \$2.5K (this assumes you have a sweet apartment with only 8 months of rent at \$312.50/month including utilities; good luck pulling that off in our fair city!), all but \$500 of your student loan is eaten up, and that's what you have left for food, clothing and entertainment. That's where the summer camp, p/t jobs come in. No job? Good luck!

It's do-able, but it's hard, and you come out of law with \$30K in debt. If tuition goes

up to \$10K, you just can't do it, can you? Well, get a student line of credit, someone might say. My answer: I tried. And what did the bank want? Answer: a co-signor who netted at least \$30K a year, or proof that I had worked non-stop for the past two years. Neither of my parents nets 30K; and although I had worked throughout my studies, I had done so with interruptions. Result: no student line of credit for me. I'm lucky that I had a good, well-established credit rating, and could get some regular line of credit with a much higher interest rate to back me up when things got really tough.

In future discussions about tuition hikes, I would like people to please bear in mind that there are others who will, in the future, be in my financial position. They are real people; they're not imaginary or theoretical cases. And please know that these people will most certainly choose to go somewhere they can afford. If there is no place they can afford, they will not go to law school. It's up to you to decide if that's OK. ■

Privatization: A Reconsideration

By Noah Billick (MBA/Law I)

In the last week of February, the University of Toronto released a white paper that addressed the controversy over public versus private financing. On Saturday, March 1st, the *National Post* ran an op-ed piece in support of the privatization of U of T's law school. The fact that the *Post* picked up on the report with such speed should give pause – the *Post* is not a newspaper that has ever attempted to hide its right wing bias. However, the study is interesting nonetheless. Incorporating important statistical sources, including U of T law school admissions data, as well as Law Society of Upper Canada data on new lawyers, the study is the first to assess the impact of privatization on accessibility and career trajectory. The results are surprising.

Accessibility: Financial aid at U of T law actually increased between 1999 (the first year of partial privatization) and 2002 (the last year of the study), both in terms of gross dollars awarded, and in the proportion of law students receiving financial aid. This runs contrary to the opinions of privatization opponents, who argue that privatization would result in less accessibility for students from low-income families.

Career trajectory: Privatization opponents theorize that students saddled by high debt loads will be forced to eschew public interest jobs in favour of lucrative corporate law positions. However, the proportion of U of T law graduates who took positions with "non-corporate entities" has actually increased two percent since 1995. In comparison with other Ontario schools, U of T law graduates are slightly more likely to work in the public sector upon graduating than their peers.

While this study was commissioned by U of T's governing council and therefore deserves to be given the benefit of the doubt as to its methodological fairness, we must be critical of statistical data, because it is easily manipulated. However, two important points emerge even if the study's statistical confidence levels are lower than they ought to be:

Privatization is not *necessarily* the first foolish step toward economic elitism. With a fair, properly administered financial aid program, privatization looks a lot more like a system of wealth redistribution than our current flat-fee/flat-tax system. After all, twenty-five hundred dollars is still a much heftier chunk

of a teacher's salary than a doctor's.

If the net result of privatization is more money "plowed back" into the school, then graduating students will feel confident and secure about their school's continuing good reputation and the future value of their degrees. Those graduating students will be more likely to defer the Bay Street job for a couple of years in favour of trying something non-corporate.

Accessible education, as far as I am concerned, is a human right. Education that is economically accessible is one of Canada's defining characteristics, and it is a significant contributor to the high quality of life Canadians enjoy. However, like it or not, McGill is an (intellectually) elitist institution, and it is unfair to obligate the general public to fund an institution that is off-limits to most of the population. In the meantime, the Social Contract is a move in the right direction – we should reduce our dependence on public coffers. However, eventually we will have to face the hard issues. Public funding is unfair to the public, unsustainable, and it will inevitably prove disastrous to this institution. ■

Blakes is proud to be the principal donor of this year's Skit Nite being held at Le Medley on Thursday March 13th, 2003.
We hope to see you all there!

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News You Can Use

By Jeff Roberts (Law II)

What's a print junkie to do? A quick glance in any news store reveals shelf upon shelf of newspapers clamouring for attention. Time pressed students must be selective in choosing among the puddles of ink being offered from every direction.

The *Globe and Mail* remains the best choice for daily news although this proud paper has stumbled noticeably in recent years. International coverage has markedly declined, as the *Globe* has decided to close several of its foreign bureaus. In its place, the paper has offered smirking columnists and interminable reports of Liberal party wrangling.

The Saturday *Globe* remains strong but the weekday editions are now over-clogged with entire sections that can be promptly consigned to the recycling box. The Sports section remains dreadful with weenie hockey writers and boring pieces about unknown Ontario equestrians. Finally, the *Globe's*

'perspective' campaign is not only lousy marketing, it imparts a smarmy air that ill befits a paper traditionally known for its quiet smartness.

As for the *National Post*, the paper's lunatic propaganda has predictably reduced it to near-bankrupt irrelevancy. Aside from Mark Steyn's scorching foreign affairs columns, there's little reason to pay much attention to the *Pest*.

Closer to home, *The Gazette* mixes in bare-bones Montreal news with its usual fare of weather stories and minivan reviews. Occasionally, good world news stories pop up. Holding the *Gazette* together is its political cartoons, great comics and a sports section that is hands down the best in Canada. The paper generally is worth buying only on Sunday when little else is available. The Sunday edition also offers a good round-up of the French press.

Le Devoir is an astonishingly intelligent publication despite its low circulation. Though perhaps dipping too exclusively from the left, the paper offers a thorough and original perspective on Quebec and international affairs (Canadian news, not surprisingly, is largely absent). If you're feeling less ambitious, check out *Le Journal de Montreal* to

brush up on your *joual* and to hear the latest about propane explosions in Laval or incest in Jonquiere.

Bitter disappointment awaits those who expect anything from Montreal's weekly papers. Despite billing themselves as scrappy and oh-so-alternative political voices, a quick peruse through the *Mirror* or the *Hour* reveals they are little more than boring and degenerate cash cows for whatever corporate entity owns them these days. Real local news has been pared back to barely a page and their overview of the city's arts scene is unsubstantial and cliquish. The only thing worth reading is *The Mirror's* Kristian Gravenor and Sasha's sex column.

On campus, both major publications are worth a look. The traditionally tame *Tribune* is bounding with a new confidence while its honourable competitor has flailed at times, inheriting the brashness of former editors if not their smarts. Both campus papers suffer from too many writers who seem incapable of avoiding the first person. The result is not just bad writing, it is also writing that is monstrously irritating. The TV-watching adventures of these wacky college kids just do not cut it as passable journalism.

Students may often have neither the ►

time nor money for a subscription, but magazines are easily borrowed and offer a more leveled current events perspective. In Canada, though, the pickings are woefully slim.

This magazine represents the best of this country's publications. Stories are well-researched and the writing top-notch. The range of topics is impressive; a recent issue featured stories on the politics of water, the commercialization of Sesame Street as well as crack Canadian fiction.

Notwithstanding its vanguard counter-culture role, Vancouver-based *Adbusters* has failed to fulfill the promise of its early issues. The publication has eschewed more sophisticated political and economic discussions, and instead has become a play-ground for second-rate artists. Nevertheless, *Adbusters*' remains an essential front-line challenge to market-based social values.

Beyond our borders, *The Economist* remains the best weekly summary of world events. The magazine's far-flung news resources and its detached British bite make it nearly essential reading. A quick warning —

The Economist's ferociously reactionary views on the environment and George Bush make it just as irritating as it is outstanding.

Looking to the Excited States, that country's strong journalism traditions continue to be reflected in the *New Yorker* and *The Atlantic Monthly*. Both offer top-notch political writing and enough culture tidbits to fake your way through any artsy-type cocktail party. As for *Harper's*, that darling of ivory-tower types, don't waste your money. Aside from the essays of Lewis Lapham, the magazine offers little more than shrill baby-boomers combing new depths of self-absorption.

So what to read? The above represents only an incomplete suggestion. There are numerous other new or small publications that also deserve a glance, as do on-line news and opinion sites. As students, we rarely have the time to read at will. Nevertheless, any foray into printed news stands as an ever-so-small means of giving the finger to the infantile flickering of CNN. The state of the world this year merits making the effort. ■

News Item: Mike Brazao Showers, Shaves

by Mike Brazao (Law II)

MONTREAL — McGill Law ragamuffin and bitter S.O.B. Mike Brazao shocked the legal world last week when he returned to campus having bathed and groomed himself during his week-long reading break pilgrimage to Toronto. Mel Lastman, the mayor of Canada's City, held a press conference to confirm that the sultry gadfly had what had initially been diagnosed as "permanent grime" removed from his body when he was doused with a fire hose for six days.

"As a result of the decontamination..." read the mayor from a prepared statement, "...water pressure in our city will be compromised for several weeks. However, on the bright side, air pollution has already gone down by 20%". He then asserted that "city officials expect a record low number of smog alerts this coming summer as a result of Brazao's baptism." On a more somber note, the communiqué concluded: "The mayor's office would like to send its heartfelt condolences to the families of all the firefighters who lost their lives during the course of this noble endeavor."

After the press conference, and just before leaving on his vacation to Mombasa, Kenya, the mayor was asked by reporters if he had ever encountered anyone as filthy, as furry or as bitter as the *Quid Novi* hack, to which he replied: "NOOOOOOOOOOOOOOOBBBBB-BBBBB OOOOOOOOOOOOOOOOOOD-DDDYYYYY!"

News of the Portuguese paparazzo's cleansing reached the hallowed halls of McGill Law when a cleaner, balder, more aromatic Brazao was spotted attending classes, often dressed in a suit and tie. This prompted students to speculate that he was defending himself in a lawsuit, having finally received his comeuppance for the litany of defamatory articles he had written in the faculty tabloid.

Newspaper baron Fabien Fourmanoit was quick to dispel those rumours. "It is trite law that truth has always been a defence to libel", he snapped when approached by representatives from rival publication *The Issue*. "Yes, Mr. Brazao is a damn Torontonion. And yes, we all hate those bastards. But he's no moron, and no one at this outfit questions his journal-

istic rigor and integrity".

For his part, faculty virgin Aaron Chase was unchecked in his admiration for the man he called "an inspiration to mankind... especially disgruntled underachievers, lady-less lounge lizards, and constitutional law scholars everywhere. Say what you will about Mike Brazao, there's clearly no flies on him now".

Brazao, who was found sleeping on one of the couches in the Atrium after his return from T.O., candidly revealed what prompted his newfound sanitation. "I first started to realize bathing might have some merits when I went to volunteer at the Old Brewery Mission and people started serving me food..." he explained, "...but the last straw was when I was driving down the 401 on my way to Tarahna and was pulled over by the OPP for violating Ontario's automobile emission standards".

According to the ensuing police report, officers inspecting Brazao's vehicle found that the level of chemicals in its exhaust did not exceed provincial standards, at which point the surly scribe was quarantined while the hazardous materials division of the fire department was called in to hose him down. Animal control was also called in, when passersby mistook Brazao for a gorilla that had escaped from the zoo. He was given a free shearing and a complimentary pack of Mach 3s.

"After my ordeal, an amazing thing happened to me..." remarked a giddy Brazao, "I went to the local Legion Hall for a few beers, and women — *lots of women* — were actually talking to me. Now I know how Fraser Bourne must feel!" When asked to elaborate on his romantic escapades, he explained how "it was getting to the point where to keep them off me, I had to beat them away with a stick..." and then added, after an awkward pause: "...not that I would ever beat women with sticks, mind you".

When asked to reflect on his sojourn in the nation's de facto capital, he characterized it as "all in all, an outstanding experience. I got cleaned up, I finally made it to first base, I got to spend a week in a city that doesn't suffer from a massive inferiority complex, and I got to watch a hockey team that actually wins games. God bless that world-class city."

When the law school's newly-anointed most eligible bachelor was asked what was next in store, he replied: "I plan to challenge Pino for the title of sexiest man in the faculty...", adding: "...I know he's the ►

reigning champion for the past 9 years, but I'm convinced the judges won't fall for his stunt of painting his body Ferrari red this time around".

However, the "new" Mike Brazao was quick to add that while he was "pleasantly

surprised to discover the many fringe benefits of personal hygiene", this happiness was tempered by numerous newfound inconveniences. "For one thing, it appears that I will never get a whole metro car to myself during rush hour again", he lamented.

When asked whether the practice of grooming would affect his career path, he sat pensively for several moments, before suggesting: "Maybe now somebody will give me a summer job". ■

Sex and Reason

by Edmund Coates, Alumnus I

Canada's parliament must reach a decision on same-sex marriage. Many of the opponents of this advance have an out-dated idea of the goals of marriage. They need to open their eyes to what marriage in Canada is like today. As well, they see marriage as a fragile heirloom, one we dare not touch, lest it shatter. Thus, they need to take a historical and cross-cultural perspective; one which shows marriage's strength. A move towards openness would enrich the meaning of marriage in Canada.

Some people still harp on the idea of marriage as centering on procreation. Only intercourse between people of different biological sexes leads to procreation. Thus, marriage must be between two people of different biological sex. This idea hardly merits discussion, since no one objects to the marriage of aged or infertile people. In any case, it has been a while since sex was necessary for human reproduction.

There is also the question of same-sex intercourse as "unnatural". Today, the expression of love and partnership is a central part of the significance of intercourse within marriage. Thus, an interesting theoretical question is whether same-sex intercourse has a better chance, of leading to a higher degree of satisfaction, than intercourse between partners of different sexes. In the companionate ideal, intercourse will be more about the pleasure received, by giving pleasure to the other party, than the bare taking of pleasure through genital contact.

Allow me an analogy based on the opposites of love. Brutality consists in causing injury without thought or care for the injured party. Cruelty needs some consciousness of its target's mental states. A greater and greater knowledge, of the target's hopes, fears, desires, and memories, permits a more and more refined cruelty.

Turning the model of cruelty on its head, same-sex companionate intercourse would be free of a gap, in achieving mutual vulnerability, openness, and satisfaction, which is in-

eliminable in intercourse between partners of different sexes. Someone who has lived their life, embodied as a certain biological sex, will have developed a richly textured awareness of such a body's possibilities for sensation. The intuitive awareness gained by inhabiting your biological sex will be an advantage in giving pleasure to a partner embodied in the same sex (an advantage over intercourse with a partner of a different sex). This direct, life-soaked awareness would more naturally nourish the knowing responses which flower in

the best companionate intercourse.

Imagine a chef preparing a dish for delectation by a friend. The chef is seeking to achieve a particular blend of tastes. The chef does not care for this blend of tastes himself. He will get a purely intellectual pleasure if he samples the dish he is preparing and finds that he has approximated the taste which his friend likes. I say "approximated the taste" because the chef will be blind to the subtleties of the taste, the refinements which are inextricably intertwined with its pleasure-giving

Elizabeth Fry Workshop Tomorrow!

A reminder from the Human Rights Working Group

You still have time to sign up for the workshop entitled "*L'État et situation des femmes en justice pénale*", to be held tomorrow at 12:30 pm in the Moot Court. Preparatory documents are available in the library.

Speaking at the workshop will be:

- Ruth Gagnon, Executive Director
- Marie-France Loisel, a lawyer providing legal services to women in long-term confinement (10 years +)
- Liliane Aflalo, an ex-inmate and intervenant accompagnatrice for Lifeline, a program for women serving life sentences.

The workshop will attempt to provide a portrait of the situation of women in conflict with the criminal justice system by examining LEGAL and SOCIAL aspects and challenges facing those serving Federal sentences, and others. The following will be discussed/presented:

- brief clip of the report on the Kingston Women's Prison (which helped lead to its closing)
- Arbour report on women in prison
- the current situation of women serving Federal sentences in Canada and other women
- national and international complaints
- social rights in the context of incarceration
- decriminalization of the sex trade
- big picture challenges of women in criminal justice

This presentation is offered as part of the John Peters Humphrey Human Rights Workshop Series, and is open to all McGill Law students. The event is co-sponsored by the McGill Law Women's Caucus. It is an excellent chance for students interested in the Clinic Course to learn first-hand about one of the organizations involved.

To register for the workshop, contact Audrey DeMarsico (ademar@po-box.mcgill.ca). More information about the Elizabeth Fry Societies (Canadian Site) can be found at: www.elizabethfry.ca and <http://www.elizabethfry.qc.ca/fran/index.htm> (Quebec Branch Site). Hope to see you there!

characteristics. Of course, the gap between biological men and women is far wider than this example, since it is not simply a question of a lack of a taste, but rather of direct inaccessibility.

Across History and Cultures

The Common Law underlies Canada's criminal law, and the private law of the provinces other than Quebec. In the Common Law, marriage merged the wife's personality into the husband's. Most dramatically, the Common Law tradition reasoned that you could not rape yourself. Thus, until 1983, husbands in Canada could rape their wives with criminal impunity. The definition of rape in the *Criminal Code* was at article 143:

A male person commits rape when he has sexual intercourse with a female person who is not his wife,

- a.) without her consent.
- b.) with her consent if the consent
 - (i) is extorted by threats or fear of bodily harm,
 - (ii) is obtained by personating her husband, or
 - (iii) is obtained by false and fraudulent representations as to the nature and quality of

the act.

By the 1970's, divorce had become easier to get for a wife. In earlier years, divorce was long, difficult, and not always granted, even on the ground of cruelty. To leave behind the grip of the Common Law, Parliament had to remove rape from the Criminal Code and invent the new offence of "Sexual Assault".

Until 1964, article 174 of Quebec's Civil Code commanded "A husband owes protection to his wife; a wife obedience to her husband". As particular applications of this principle, a host of specific legal incapacities weighed on married women. Quebec's article parroted France's Code Napoléon. The drafters of the French code heard from Napoleon Bonaparte that nature made a woman her husband's slave. Nature gave a husband the right to command: "Madam, you shall not go out; Madam, you shall not go to plays; Madam, your body and soul are my property".

In the Roman Republic, a married woman remained the property of her father, who could impose a divorce from her husband. Giving birth to new citizens was the central duty of the Roman wife. Thus, it was acceptable for a man to arrange to divorce his preg-

nant wife, and have her given away in marriage to one of his childless friends. If he loved his wife, the initial husband might well take the woman back as his wife later, once she had produced a few offspring.

Iran still has the age-old Islamic institution of temporary marriage, or mut'a. Iranian law understands permanent marriage by analogy to sale, temporary marriage by analogy to lease. Temporary marriage must be for a set time period, as little as minutes. The money that the temporary husband pays as bride price is the means by which he acquires sexual exclusivity for the period of the marriage.

Canadians may see as strange some expressions of marriage in other cultures, or even in Canada's recent history. Still, the fabric of marriage takes in without strain any number of retrograde, exclusionary forms. In Canada's recent past, we ended injustices by shedding legal concepts which once seemed the core of marriage. Marriage in Canada could hardly be harmed by the law once again taking a progressive and welcoming form. Marriage in Canada would be strengthened, rather than harmed, by Parliament showing some courage and vision. ■

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NEW YORK TORONTO

Chico Finish Regular Season with Flourish, Win 1st Playoff Game

by Panger

After finishing the season with a team record 16-0 win over fatguyskinnyguy, Chico finished the regular season with a 10-1-1, good for second place in the C Division behind the only team they lost to, the Alkies. As the first place team earned a first-round bye, this meant Chico would place the last place team in the first round

(I'm not going to say much about the 16-0 game, since there is not much to say. The first star was the ref for dropping the puck, second star to the scorekeeper for keeping time, and third star to the Zamboni driver for cleaning the ice. They had as much to do with the win as any individual Chico player – although the

goalie did stop three breakaways (which, of course, would have made the game a skweeker if he hadn't). Every player – even the goalie, had at least one point. The most interesting aspects of the game was watching players play out of position – Greg Rickford playing left wing and scoring a goal and two assists, Jason Crelinsten coughing up the puck at the blue line and getting caught for a breakaway – oh wait, that usually happens when Jason plays 'D'. But the best was watching the Hammer lead the rush, desperately trying to score.)

By what may not have been coincidence, Chico once again faced fatguyskinnyguy in

the first round of the playoffs. Anticipating a quick and effortless victory, Chico was shocked when the opposing dump and chase strategy resulted in the game's first goal, after a series of unlucky bounces (Adam's pass went of a skate and right in front of the net) resulted in break for an unchecked skinny guy to slide the puck between the Chico goalie's legs. Chico soon tied the score, but a series of terrific saves and an inability to finish resulted in the score remaining tied at the end of the first period.

However, early on the second Chico scored, and the game was pretty much over. Besides that lucky break, the fgsg had one legitimate shot on goal, and Chico eventually broke it open with Loco Locas scoring a beautiful one-timer that put the game out of reach. Final score: 7-1 (which neglects the three Chico goals that were called back by the refs, at least two of which inexplicably). Chico's next game is this FRIDAY, MARCH 14th at 10:30pm. ■

ANNUAL LECTURE IN JURISPRUDENCE AND PUBLIC POLICY

*Professor Harry Arthurs
Osgoode Hall Law School*

"Constitutional Courage"

**Tuesday 1 April, 2003 at
17h30**

Faculty of Law
New Chancellor Day Hall,
Moot Court

Abortion and Social Policy in Judaism

Can Organized Religion be Progressive?

JLSA and Women's Legal Caucus are pleased to announce a conference on the treatment of abortion and other health issues in Judaism by Rabbi R. Whitman.

Rabbi Whitman is a former lecturer at Yale Law and is very engaging. He will be speaking on Wednesday March 12 at 12:30 pm in NCDH 102 and the event promises to be fascinating!

Social Contract Presentation and Q&A

On Wednesday, March 12 at 12:30pm, there will be a presentation on the progress of the social contract initiative, with ample opportunity for Q&A. If you have any questions, or just wish to learn more about this proposal, come to the presentation and meet the students and faculty responsible for drafting and developing it.

This presentation is organized by the social-contract subcommittee which reports to both the LSA Ad Hoc Committee on Faculty Funding and the Working Group on Faculty Funding. They are the work of a small group of students and faculty, among them Richard Janda, Pierre-Olivier Savoie, and Jason Crelinsten.

Mercredi le 12 mars à 12h30 aura lieu une rencontre sur le progrès du projet de contrat social, avec période de questions où les commentaires des étudiantes seront recueillis. Si vous avez des questions, ou que vous voulez seulement en apprendre plus à propos de cette initiative, venez à la présentation et rencontrez les étudiantes et professeur qui y ont travaillé.

Cette présentation est organisée par le sous-comité du contrat social qui se rapporte aux deux groupes suivants : le comité ad hoc sur le financement de la faculté mis sur pied par l'Association des étudiantes de droit (AED) et du Groupe de travail de la faculté sur le financement. Parmi les membres de ce comité au fonctionnement ouvert, on compte Richard Janda, Jason Crelinsten, Alex Law et Pierre-Olivier Savoie.

The CPO NEWSLETTER

March 7th, 2003

Hello everyone,

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1) POSTINGS (ARTICLING, SUMMER & PART-TIME)

--LOCKYER CAMPBELL, ARTICLING POSITION 2003-2004, Toronto

Approved Principal: Philip Campbell
Type of Practise: Criminal Law
Number of Lawyers: Five
Start Date: September 1, 2003
Salary: \$40,000

Lockyer Campbell is a new criminal law practice. They opened their doors on January 1, 2003. Two experienced criminal lawyers, James Lockyer and Philip Campbell, along with three associates, practice in all areas of criminal law, in both trial and appellate courts. A special focus of the firm will be the reversal of wrongful convictions, through their close connection with AIDWYC, the Association in Defence of the Wrongly Convicted.

A student will be involved in all aspects of the practice, including court appearances, jail visits, client and witness interviews, and research. The work will be demanding but rewarding. They seek a student with a commitment to learning, and practising, criminal law. Some

exposure to clinic work in law school is helpful but by no means essential. It is important that students have a car, or regular access to one.

Contact:
PHILIP CAMPBELL
481 University Avenue, Suite 510
Toronto, ON, M5G 2E9
Phone: (416) 847-2560
Fax: (416) 847-2564
e-mail: pcampbell@lockyercampbell.com

--Task Description for "law and disabilities" research assistant:

Any fluently bilingual law student may have the main requirements for the task. Draft work on the translations must be completed on or before March 14th and the work must be completed by March 17th. (There is a possibility that a few hours of follow-up work will be offered later in March.) If a candidate also has some knowledge and sensitivity about disability issues and terminology, that would be beneficial, but this is not a prerequisite for this specific task.

REACH is an organization based in Ottawa that focuses on equality and justice for individuals with disabilities. (Information on REACH, as well as REACH publications directly relevant to law students and law schools, can be found online at www.reach.ca/.) REACH is looking for a law student or recent law graduate to translate four short survey questionnaires. Each survey consists of about 7 introductory paragraphs plus 7 questions. The questionnaires are all very similar to one other, although there are a few subtle word changes for each audience being surveyed.

The selected student will report to the Project Director, by e-mail and telephone. There are only a few hours of

work involved, but the student will be paid at an hourly rate higher than the usual rate paid by law professors for research.

Allan McChesney
Project Director
(613) 236-9368

--Superior Court of Justice, First-Year Summer Position (Toronto)

This summer position will provide an opportunity to observe the judicial process firsthand. The duties of the summer student will primarily consist of providing legal research support to the Office of the Chief Justice. They will also include some administrative support duties.

Location: 361 University Ave., Toronto, ON

Qualifications: The Court seeks LL.B. students who have completed their first year of law school. Applicants should possess the following skills:

- strong legal research skills
- strong communication skills
- strong organizational skills
- ability to work independently and as part of a team
- general computer proficiency (including Word)

To apply: Please submit your application by 5:00 p.m. on Friday, April 4, 2003 to:

Lauralee Bielert, Senior Law Clerk
Superior Court of Justice
Office of the Chief Justice
361 University Avenue, Room 621
Toronto, ON
M5G 1T3

Applications may be delivered by mail, courier or in person. No applications will be accepted by fax or by e-mail.

Interviews: Interviews will take place in Toronto in April. (Examinations will be taken into account in scheduling interviews).

Only those selected for an interview will be contacted. For more information about the Superior Court of Justice go to www.ontariocourts.on.ca/scj.htm.

--AON, Legal Analyst, Summer 2003/Full Time Position: A Fortune 500 Company, Aon Corporation is a world leader in insurance brokerage, risk management products and consulting. A division of Aon, dealing mainly in Insurance is seeking law students who have completed at least 2 years of law school to work on a project dealing with reviewing legal claims files, categorizing data and information. The ideal student will have perfect oral and written English, superior organization skills and a fine attention to detail. Computer skills required. Must be eligible to work in Quebec. Please send your cover letter and CV attention to:
Contact: Bonnie Frank
By fax or email only.
No telephone calls please.
Email: bonnie.frank@aon.ca
Fax: 514-982-5175

2) IF YOU ARE GRADUATING IN MAY. THIS IS FOR YOU!

Comme par le passé, le Service de placement de la Faculté soumet aux finissants un sondage pour fins de statistiques. Nous souhaitons ainsi établir le portrait le plus juste possible de la situation du placement de nos diplômés. C'est donc dans cette optique que nous sollicitons votre collaboration et que nous vous demandons de prendre quelques minutes pour le remplir. All information gathered will be treated confidentially : It will only be used inter-

nally for administrative purposes. It would be greatly appreciated if you could complete the attached form and return it to me or Melissa (NCDH, 4th floor) by Friday, March 21st, 2003. If you wish, you can also send the requested information by e-mail at Brigitte.st-laurent@mcgill.ca.

If you have any questions or comments regarding this graduating survey, please feel free to contact me by phone at 398-6618 or by e-mail. We greatly appreciate your co-operation and the time spent in completing & returning your survey. We congratulate you on completing your law degree. Best of luck in your future career!

3) THE CANADIAN BAR ASSOCIATION

Le président de L'ASSOCIATION DU BAR-REAU CANADIEN, Simon Potter, vient rencontrer les étudiants le 24 mars prochain. C'est une excellente occasion de vous renseigner sur ce que l'ABC peut faire pour vous ! L'ABC offre à cette occasion pizza et bière aux étudiants.

Heure : Présentation (12:30) au Moot Court suivi du lunch (13 :15) à l'Atrium.

4) TORONTO FIRST-YEAR RECRUITMENT & OTTAWA RECRUITMENT

For the students who participated in either recruitment process: please inform me of the outcome of the recruitment process. It will remain confidential.

5) INTERNSHIPS & RECOGNITION OPPORTUNITIES

-For more information on Forcesavenir's international internships, please consult their website: www.force-savenir.qc.ca

-A workshop on the Rhodes Scholarships is usually offered in March. For more information: 398-4990

Brigitte St-Laurent
Director
Career Placement Office

For more information, please contact the Career Placement Office by e-mail: brigitte.st-laurent@mcgill.ca / placement.law@mcgill.ca or by telephone: (514) 398-6618 / 398-6159.

All editions of the CPO Newsletter are saved in archives and can be accessed at:
<http://lists.mcgill.ca/archives/lawstudent.html>

The archives of the Faculty of Law email list now require you to login before you will be able to read any of the archived email on the list.

Your login Name is your email address. Your password is your list password.

If you don't have a list password or you've forgotten follow these steps: When you are prompted to login just click on "get a new LISTSERV password first." Then follow the on screen instructions.

Deadline for the next Quid is Thursday, March 13th at 5pm:
quid.law@mcgill.ca

Four weeks to go!
Keep an eye on our next issues for information
on how you can get involved next year.

NOMINATION FORM: 2002-2003 TEACHING EXCELLENCE AWARD

Nomination Procedure:

1. There are two nomination periods. Professors teaching a course ending in December must be nominated during the first nomination period starting **November 14th and ending November 22nd**. Professors teaching full year courses and courses offered in the winter term must be nominated during the second nomination period starting **March 10th and ending March 17th**.
2. Completed nominations should be placed in the **mailbox of the VP Academic, LSA Office**.
3. Any student of the Faculty of Law can nominate a professor.
4. Nominators may only nominate professors in whose class they are currently enrolled.
5. Only university appointed professors of the Faculty of Law are eligible for the Teaching Excellence Award. Please note that most professors hold a university appointment, however, some practitioners or visiting lecturers may not. If you have any questions about this, please contact me at rachel.smith@mail.mcgill.ca.
6. In order to submit a completed nomination this form must be filled out and accompanied by a statement to the selection committee indicating why the professor should be the recipient of this year's award.
7. In nominating a professor, nominators may want to provide information, among other things, on the professor's: enthusiasm, clarity of presentation, mastery of the subject matter, availability outside of class, and ability to stimulate interesting class discussions.
8. Nominators may include any other information which may assist the selection committee in making its decision (i.e. course syllabus).
9. Nomination sheets must be signed by the nominator and five other students in the course for which the professor is being nominated.

Nominator: _____

Year: _____

Professor Nominated: _____

Course: _____

Name	Year	Signature

Don't miss Skit Nite: Thursday, March 13th!



Environmental Law McGill

presents

Greening the FTAA?

Towards the Protection of Ecological Integrity in our Hemisphere

Montréal, Canada
March 17 - 18, 2003

Registration now open. See p.10 for details, or visit www.law.mcgill.ca/elmftaaconference.
ELM is also looking for volunteers - contact us!